

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council of the City of Grapevine, Texas met in Executive Session on this the 20th day of July, 2010 at 6:45 p.m. in the City Council Conference Room, Second Floor, 200 South Main Street, with the following members present to-wit:

William D. Tate	Mayor
C. Shane Wilbanks	Mayor Pro Tem
Sharron Spencer	Council Member
Roy Stewart	Council Member
Mike Lease	Council Member

constituting a quorum, with Council Members Darlene Freed and Mike Lease absent, with the following members of the City Staff:

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager
H. T. Hardy	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Matthew Boyle	Assistant City Attorney

CALL TO ORDER

Mayor Tate called the meeting to order at 6:48 p.m.

ITEM 1. EXECUTIVE SESSION

Mayor Tate announced the City Council would conduct a closed session regarding:

(A) pending or contemplated litigation relative to Fort Worth Star Telegram vs. City of Grapevine pursuant to Section 551.071, Texas Government Code;

(B) real property relative to the purchase, lease or conveyance of property located on Turner Street and West Texas Street pursuant to Section 551.071, Texas Government Code; and

(C) conference with City Manager and Staff to discuss and deliberate commercial and financial information received from business prospects the City seeks to have locate or expand in the City; with which businesses the City is conducting economic development negotiations under Section 551.087, Texas Government Code.

Upon reconvening in open session in the Council Chambers, Mayor Tate asked if there was any action necessary relative to the closed session. City Manager Bruno Rumbelow stated there was no action necessary relative to pending or contemplated litigation or

conference with City Manager and Staff under Sections 551.071 or 551.087, Texas Government Code.

Regarding real property, City Manager Rumbelow recommended approval for conveyance of an approximate 648 square foot tract adjacent to 407 Turner Street to Mr. Jeff Avery.

Council Member Spencer, seconded by Mayor Pro Tem Wilbanks, offered a motion to approve the conveyance of the property adjacent to 407 Turner Street to Mr. Jeff Avery. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

NOTE: City Council continued with the Regular City Council meeting in open session in the City Council Chambers.

ADJOURNMENT

Mayor Pro Tem Wilbanks, seconded by Council Member Stewart, offered a motion to adjourn the meeting at 10:40 p.m. The motion prevailed by the following vote:

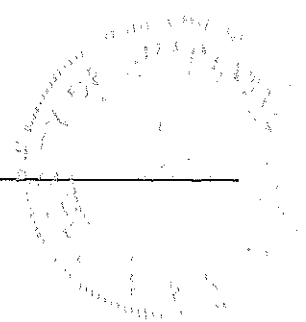
Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 3rd day of August, 2010.

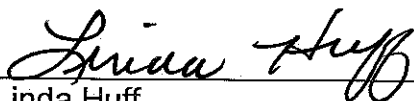
APPROVED:



William D. Tate
Mayor



ATTEST:



Linda Huff
City Secretary

STATE OF TEXAS
COUNTY OF TARRANT
CITY OF GRAPEVINE

The City Council and the Planning & Zoning Commission of the City of Grapevine, Texas met in Regular Joint Session on this the 20th day of July, 2010 at 7:30 p.m. in the City Council Chambers, Second Floor, 200 South Main Street, with the following members of the City Council present to-wit:

William D. Tate	Mayor
C. Shane Wilbanks	Mayor Pro Tem
Sharron Spencer	Council Member
Roy Stewart	Council Member
Mike Lease	Council Member

constituting a quorum, with Council Members Darlene Freed and Chris Coy absent, with the following members of the Planning & Zoning Commission:

Larry Oliver	Chairman
Herbert Fry	Vice Chairman
Betty "BJ" Wilson	Member
Monica Hotelling	Member
Jim Fechter	Member
Gary Martin	Member
Beth Tiggelaar	Member
Wayne Szot	Alternate

constituting a quorum, with Alternate Elaine Martin absent, with the following members of the City Staff:

Bruno Rumbelow	City Manager
Jennifer Hibbs	Assistant City Manager.
H. T. Hardy	Assistant City Manager
John F. Boyle, Jr.	City Attorney
Susan Batte	Planning Technician

CALL TO ORDER

Mayor Tate called the meeting to order at 7:33 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Commissioner Fry delivered the Invocation and led the Pledge of Allegiance.

ITEM 1. 2010 CENSUS PROGRAM UPDATE

Mr. John Williams, representing the 2010 Census Program, presented a brief overview to the City Council. He reported that 75% of Grapevine residents responded through the mailed questionnaire and that the door-to-door follow-up is now completed. The American Community Survey will be sent to selected people and it is very important that the information be returned as it provides annual estimates of the characteristics of the population and housing, not a population count. During February and March of 2011, redistricting data will be sent to states as required by law. All data relative to the 2010 census will be released the first quarter of 2012.

Mr. Williams expressed his appreciation to the City Council and the citizens for their participation in the 2010 Census Program.

ITEM 2. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU10-06
RACETRAC
FINAL PLAT LOTS 1R1 AND 5R, BLOCK 1, W. R. BOYD CENTER,
REPLAT OF LOT 1R AND LOT 5, BLOCK 1, W. R. BOYD CENTER

Mayor Tate declared the public hearing open.

Planning & Development Manager Ron Stombaugh advised that RaceTrac had filed Conditional Use Application CU10-06 and application for the final plat of Lots 1R1 and 5R, Block 1, W. R. Boyd Center being a replat of Lot 1R and Lot 5, Block 1, W. R. Boyd Center. The conditional use permit is for a 4,997 square foot Racetrac convenience store with gasoline service and off-premise consumption of alcoholic beverages (beer and wine only) and two monument signs with over 30% changeable copy. The subject property is located at 751 East Northwest Highway and is zoned "CC" Community Commercial District Regulations.

Ms. Karen Mitchell, representing RaceTrac, requested favorable consideration of the application.

City Council and the Planning & Zoning Commission questioned the handicapped accessibility to the store, the type of grocery items that would be provided and the size and need for the monument signs in two locations. It was stated that State law regulates handicapped accessibility, there would be fresh food items available to customers and both monument signs would have 43% changeable copy.

Mayor Tate invited guests present to comment regarding the application.

Mr. Grant Coates, representing the property owner, expressed his support of the application and stated that the proposed development would address the drainage issues on the property.

The following citizens expressed their opposition to the development due to an increase in traffic in the vicinity, creating a hazard to bicyclists, not appropriate development for a gateway to the City and concern about safety issues.

Mr. Vick Cox, 418 East Texas Street
Mr. Wayne Turner, 224 Austin Street
Mr. Clarence Muller, 721 East Northwest Highway
Mr. Al Dossani, 520 East Northwest Highway
Mr. Abdul Pirani, 424 East Northwest Highway
Mr. Sam Virani, 506 East Northwest Highway

Planning Technician Batte reported there were six letters of opposition copied to the City Council and Planning & Zoning Commission.

Commissioner Wilson, seconded by Commissioner Fry, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Lowery, Hotelling, Fechter, Martin & Tiggelaar
Nays: None

Council Member Stewart, seconded by Mayor Pro Tem Wilbanks, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

ITEM 3. PUBLIC HEARING, ZONING APPLICATION Z10-02, PLANNED DEVELOPMENT OVERLAY APPLICATION PD10-04 AND FINAL PLAT STONE BRIDGE OAKS II, REPLAT OF A PORTION OF STONE BRIDGE OAKS

Mayor Tate declared the public hearing open.

Planning & Development Manager Stombaugh reported that Zoning Application Z10-02, Planned Development Overlay Application PD10-04 and application for the final plat of Stone Bridge Oaks II being a replat of a portion of Stone Bridge Oaks had been filed by Grenadier Homes. The zoning application requests rezoning of 19.165 acres from "R-TH" Townhouse District Regulations to "R-7.5" Single Family District Regulations. The planned development overlay application requests to amend the site plan approved by Ordinance No. 2006-31 for the development of 66 detached single family lots with various deviations from the front, rear and side yard setback requirements and the building and impervious coverage requirements within the "R-5.0" Zero Lot Line District standards. The subject property is located at 4632 Trevor Trail.

Mr. Dean Eldridge and Mr. Anthony Natalie requested favorable consideration of the applications.

Discussion ensued relative to the applicant responding to questions regarding the average size of the homes - just under 2,000 square feet to just over 3,000 square feet; one

homeowners association for the patio homes, townhomes and landscaping; and it was stated that the parking meets the City's parking requirements per unit.

Mayor Tate invited guests present to comment regarding the application.

The following citizens spoke in support of the applications:

Ms, Betty Holland, 4613 Kaitlyn Lane
Mr, Nick Lorenzo, 4605 Kaitlyn Lane
Ms, Patricia Allan, 4637 Trevor Trail
Ms, Lucienne Allan, 4637 Trevor Trail
Mr. Kenton Murthy, 4670 Trevor Trail (representing James and Kathy Hooks)
Mr. Tim Smity, 4658 Trevor Trail
Ms. Marjorie Rodgers, 4626 Kaitlyn Lane
Dr, Nick Leber, 4601 Kaitlyn Lane

Planning Technician Batte reported the Council and Commission had been copied the one letter of concern.

Commissioner Martin, seconded by Commissioner Hotelling, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Lowery, Hotelling, Fechter, Martin & Tiggelaar
Nays: None

Council Member Lease, seconded by Mayor Pro Tem Wilbanks, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

ITEM 4. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU10-14 AMC
THEATER

Mayor Tate declared the public hearing open.

Development & Planning Manager Stombaugh reported that AMC Theater requested to table until August 17, 2010 Conditional Use Application CU10-14. The conditional use permit requests to amend the site plan approved by Ordinance No. 98-118 for the possession, storage, retail sale and on-premise consumption of alcoholic beverages (beer, wine and mixed beverages) in conjunction with a movie theater/restaurant with outside dining. The subject property is located at 3150 Grapevine Mills Parkway and is zoned "CC" Community Commercial District Regulations.

Commissioner Fry, seconded by Commissioner Hotelling, offered a motion to table the item to August 17, 2010. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Lowery, Hotelling, Fechter, Martin & Tiggelaar
Nays: None

Mayor Pro Tem Wilbanks, seconded by Council Member Stewart, offered a motion to table the item to August 17, 2010. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

Mayor Tate announced this is the only notice the adjacent property owners will receive prior to the August 17, 2010 meeting.

ITEM 5. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU10-15 NAPOLI'S
ITALIAN CAFÉ

Mayor Tate declared the public hearing open.

Development & Planning Manager Stombaugh reported that Conditional Use Application CU10-15 had been filed by Napoli's Italian Café requesting a conditional use permit to amend the site plan approved by Ordinance No. 2005-27 to expand the restaurant by 2,235 square feet into the adjoining space with seating for an additional 54 patrons and the addition of a confectionery shop. The subject property is located at 309 South Main Street #100 and 311 South Main Street and is zoned "CBD" Central Business District.

Mr. Brett Kinzel requested favorable consideration of the application.

There was a brief discussion regarding the new kitchen that would be used for preparation of salads, deserts and chocolates. All preparation of food items will be in the kitchen areas and not in the public area.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Wilson, seconded by Commissioner Fechter, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Lowery, Hotelling, Fechter, Martin & Tiggelaar
Nays: None

Council Member Roy Stewart, seconded by Council Member Lease, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ITEM 6. PUBLIC HEARING, SPECIAL USE PERMIT APPLICATION SU10-06, CONDITIONAL USE APPLICATION CU10-16 AND FINAL PLAT LOT 2R, BLOCK 1, JEMTEX ADDITION, REPLAT OF LOTS 1 AND 2, BLOCK 1, JEMTEX ADDITION

Mayor Tate declared the public hearing open.

Planning & Development Manager Stombaugh reported that Special Use Permit Application SU10-06, Conditional Use Application CU10-16 and application for the final plat of Lot 2R, Block 1, Jemtex Addition being a replat of Lots 1 and 2, Block 1, Jemtex Addition had been filed by Compass Christian Church. The special use permit application requests a special use permit to amend the site plan approved by Ordinance No. 97-24 for a church in a non-residential zoning district. The conditional use application requests a conditional use permit for nonprofit institutions in conjunction with a church. The subject property is located at 4201 Pool Road and is zoned "CN" Neighborhood Commercial District Regulations.

Pastor Eric Lee requested favorable consideration of the applications. Compass Christian Church proposes to utilize the existing 32,000 square foot former Food Lion structure as a multi-purpose facility, including student ministries, meeting space for men's, women's and senior groups as well as other church events. After remodeling, the facility's auditorium will accommodate seating for 600 persons with the required 200 parking spaces. In addition to church related activities, three non-profit institutions will operate from the facility.

Ms. Shonda Schaefer, representing Grace Ministries; Ms. Mia Green, representing Real Choice and Mr. Sean Shope, representing Students Standing Strong, spoke to the Council and Commission regarding their outreach programs for citizens. Grace Ministries proposes to distribute and receive donated items Monday through Friday from 9:00 a.m. to 5:00 p.m. Real Choices will utilize office space and proposes to donate items such as diapers and infant formula. Students Standing Strong will have use of office space.

Discussion ensued relative to the property being rezoned from commercial to residential.

Mayor Tate invited guests present to comment regarding the application.

The following citizens spoke in favor the applications:

Mr. Curtis Watson, 4134 Woodland Court
Pastor Jay Franks, 6706 Kennedy Drive, Colleyville

Planning Technician Batte advised the Council and Commission had been copied one letter of support and one letter of opposition.

Commissioner Wilson, seconded by Commissioner Fry, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Lowery, Hotelling, Fechter, Martin & Tiggelaar
Nays: None

Mayor Pro Tem Wilbanks, seconded by Council Member Lease, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

ITEM 7. PUBLIC HEARING, CONDITIONAL USE APPLICATION CU10-18 AND FINAL PLAT LOTS 2R AND 2R-1, BLOCK 1, HAYLEY ADDITION, REPLAT OF LOTS 2, 3R-1 AND 3R-2, BLOCK 1, HAYLEY ADDITION

Mayor Tate declared the public hearing open.

Development & Planning Manager Stombaugh advised that Conditional Use Application CU10-18 and application for the final plat of Lots 2R and 2R-1, Block 1, Hayley Addition being a replat of Lots 2, 3R-1 and 3R-2, Block 1, Hayley Addition were filed by Ball Street Joint Venture. The conditional use application requests a conditional use permit to amend the site plan approved by Ordinance No. 2010-19 requesting to subdivide the lot into two lots and reconfigure the drive through lane. The subject property is located at 1303 and 1401 William D. Tate Avenue and is zoned "HC" Highway Commercial District. The applicant proposes to subdivide the subject lot into two separate lots so the retail building and drive-through restaurant will be on their own platted lot. The drive-through lane has been lengthened to provide more stacking and there will be no exits from the drive-through lane. All parking requirements are being met on both proposed lots.

Mr. Don Sopranzi requested favorable consideration of the application.

There were no questions from the City Council or the Planning & Zoning Commission.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak and there was no correspondence to report.

Commissioner Fry, seconded by Commissioner Fechter, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Lowery, Hotelling, Fechter, Martin & Tiggelaar
Nays: None

Council Member Stewart, seconded by Council Member Spencer, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

ITEM 8. PUBLIC HEARING, SPECIAL USE PERMIT APPLICATION SU10-07 121
COMMUNITY CHURCH

Mayor Tate declared the public hearing open.

Development & Planning Manager Stombaugh advised that Special Use Permit Application SU10-07 had been filed by 121 Community Church requesting a special use permit to amend the site plan approved by Ordinance No. 2005-30 to expand the existing church facility into the adjacent 11,700 square foot lease space. The subject property is located at 830, 840, 850 and 860 Mustang Drive and is zoned "BP" Business Park District.

Pastor Ross Sayers requested favorable consideration of the application.

There were no questions from the City Council or the Planning & Zoning Commission.

Mayor Tate invited guests present to comment regarding the application. No one wished to speak.

Planning Technician Batte reported there was one letter of support copied to the Council and Commission.

Commissioner Hotelling, seconded by Commissioner Wilson, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Lowery, Hotelling, Fechter, Martin & Tiggelaar
Nays: None

Mayor Pro Tem Wilbanks, seconded by Council Member Lease, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

ITEM 9. PUBLIC HEARING, FINAL PLAT, LOT 1, BLOCK 1, 407 TURNER
ADDITION

Mayor Tate announced that Item 9 was incorrectly posted as a public hearing and there will not be a public hearing regarding this item.

ITEM 10. PUBLIC HEARING, AMENDMENTS GRAPEVINE CODE OF
ORDINANCES, APPENDIX D, COMPREHENSIVE ZONING ORDINANCE

NO. 82-73, AS AMENDED, ALL SECTIONS REGARDING SALES OF
MERCHANDISE FROM RESIDENCES (GARAGE SALES)

Mayor Tate declared the public hearing open.

Development & Planning Manager Stombaugh reviewed the proposed amendments to the Grapevine Code of Ordinances, Appendix D, the Comprehensive Zoning Ordinance No. 82-73, as amended, relative to all applicable sections regarding garage sales in residential districts. The amendment limits the number of garage sales that can be held to no more than one every quarter and for no more than three consecutive days. No permits or fees are required. This will enable staff to enforce complaints.

Mayor Tate invited guests present to comment regarding the application.

Ms. Marty Anderson, 1707 Cimarron, expressed her support of the proposed ordinance.

Commissioner Wilson, seconded by Commissioner Fechter, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Oliver, Fry, Wilson, Lowery, Hotelling, Fechter, Martin & Tiggelaar
Nays: None

Council Member Spencer, seconded by Mayor Pro Tem Wilbanks, offered a motion to close the public hearing. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

RECESS AND RECONVENE

Mayor Tate announced the Planning & Zoning Commission would recess to the Planning & Zoning Conference Room to consider published business.

Mayor Tate announced the City Council would take a brief recess. Upon reconvening in the Council Chambers, all members of the City Council were present with the exception of Council Members Freed and Coy.

ITEM 10A. CITIZENS COMMENTS, MR CLARENCE MULLER

Mr. Clarence Muller, 3612 Lakeridge, expressed appreciation to the Council and City Staff for their work on the Hike & Bike Trail Master Plan.

ITEM 10B. CITIZENS COMMENTS, MR. JOHN RATH

Mr. John Rath, 1537 Country Forest Court, requested the City educate citizens on recycling benefits to the community, obtain an accurate count of the volume of recycling in the City and when the five-year contract comes up for renewal, investigate other contractors.

Mayor Tate thanked Mr. Rath and his organization for their dedication to recycling and asked that they continue to educate their neighborhoods regarding its benefits. He also stated that the City would continue to do its part in educating citizens on the benefits to the environment.

ITEM 10C. CITIZENS COMMENTS, MS. KATHLEEN THOMPSON

Ms. Kathleen Thompson, 1570 Dublin Circle, asked for a better waste/recycling contract to increase recycling, reduce landfill waste and harmful emissions in the community.

ITEM 11. REPORT, GRACE "DRIVE INTO THE NIGHT" GOLF TOURNAMENT

GRACE Executive Director Shonda Schaefer presented the successful results of the GRACE "Drive into the Night" golf tournament on June 25, 2010. The fund raiser tournament netted the GRACE Feed Our Kids Program over \$29,000. She expressed her appreciation to the City for sponsoring the golf tournament and to the Golf Course Staff that made the tournament an exceptional fund raiser for GRACE. She also expressed her appreciation to all City Departments involved for their assistance for a successful fund raiser.

ITEM 12. REPORT, SISTER CITY MISSION TRIP TO KREMS, AUSTRIA

Convention & Visitors Bureau Director P. W. McCallum, Council Member Spencer, Sister City Program Manager Naomi Saenz and Deputy Fire Chief Mark Ashmead reported on the City's mission to Krems, Austria, June 16-23, 2010. There were three objectives of the mission (1) officially and formally reaffirm the Sister City Partnership, (2) bring the two cities together through music and dance with 88 representatives from the Grapevine High School band and Fillies Dance Team, teachers and chaperones and (3) interact with Krems Fire Department and Red Cross Ambulance Service.

Sister City Program Manager Naomi Saenz had a video of the mission and then presented Mayor Tate with the renewal of the Sister City partnership agreement. Deputy Fire Chief Ashmead expressed his gratitude for being a part of the delegation with the opportunity to interact with the Krems Fire Department. Delegation leader, Council Member Spencer, reported on the success of the mission and commended all of the City's ambassadors for their excellent representation of the City.

ITEM 13. APPOINT HERITAGE FOUNDATION ADVISORY BOARD CHAIRMAN

Mayor Tate appointed Dr. Curtis Ratliff as the Heritage Foundation Advisory Board Chairman for 2010-2011.

ITEM 14. RESOLUTION, AUTHORIZE LOCAL TRANSPORTATION PROJECT
ADVANCE FUNDING AGREEMENT

Director of Transportation Projects Jerry Hodge recommended approval of a resolution authorizing a Local Transportation Project Advance Funding Agreement with the Texas Department of Transportation to establish funding participation levels for the State Highway 26 Reconstruction Project. The City's funding commitment to this project before the American Recovery and Reinvestment Act (ARRA) funds became available was \$3 million. The cost overruns on this project should fall within \$500,000 to \$850,000, 3% to 5%, and could be less depending upon issues that may arise in the field. This should yield a savings to the City of \$2.1 to \$2.5 million.

Council Member Spencer, seconded by Council Member Lease, offered a motion for approval of the Local Transportation Project Advance Funding Agreement with the Texas Department of Transportation with the stipulation that the City Council be advised prior to Staff issuing payment to the State in excess of \$500,000.00. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

RESOLUTION NO. 2010-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AUTHORIZING A LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION ADDRESSING FUNDING PARTICIPATION LEVEL AND PROJECT SCOPE FOR THE RECONSTRUCTION OF STATE HIGHWAY 26 FROM BRUMLOW ROAD TO 0.5 MILES SOUTH OF STATE HIGHWAY 114 FROM A FOUR LANE TO A SIX LANE DIVIDED ROADWAY IN THE CITY OF GRAPEVINE; AND PROVIDING AN EFFECTIVE DATE

ITEM 15. ORDINANCE, AMEND ORDINANCE NO. 95-35, EXTEND FRANCHISE
WITH ALLIED WASTE SERVICES OF FORT WORTH, LLC
ORDINANCE, AMEND CHAPTER 25 UTILITIES AND SERVICES, SOLID
WASTE DISPOSAL AND RECYCLING COLLECTION RATES

Public Works Director Matt Singleton recommended approval of an ordinance amending Ordinance No. 95-35, as amended, with Allied Waste Services of Fort Worth, LLC to extend the term of the franchise five years. Mr. Singleton recommended approval of an ordinance amending Chapter 25 Utilities and Services, Article III Solid Waste Disposal relative to commercial and residential solid waste and recycling collection rates by increasing rates by 1.75%.

Mayor Pro Tem Wilbanks, seconded by Council Member Stewart, offered a motion to approve the ordinance amending Ordinance No. 95-35 extending for five years the franchise with Allied Waste Services of Fort Worth, LLC, as recommended. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ORDINANCE NO. 2010-30

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING ORDINANCE 95-35, AS AMENDED, THE SOLID WASTE FRANCHISE; EXTENDING THE TERM OF THE FRANCHISE FIVE (5) YEARS; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

Mayor Pro Tem Wilbanks, seconded by Council Member Stewart, offered a motion to approve the ordinance amending Chapter 25 Utilities and Services to move the rates from \$10.90 to \$11.09 with the current service. The motion prevailed by the following:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ORDINANCE NO. 2010-31

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING THE GRAPEVINE CODE OF ORDINANCES, CHAPTER 25 UTILITIES AND SERVICES, ARTICLE III SOLID WASTE DISPOSAL; PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

CONSENT AGENDA

The next order of business for the City Council was to consider the consent agenda items, which were deemed to need little or no discussion and were acted upon as one business item. Mayor Tate asked if there was any member of the audience or the City Council who wished to remove an item from the consent agenda for full discussion. There were none.

Item 16. Approve Hike & Bike Trail Master Plan

Parks & Recreation Advisory Board and Parks & Recreation Director recommended approval of the Hike & Bike Trail Master Plan.

Motion by Council Member Lease, seconded by Council Member Spencer, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

Item 17. Appoint Student Ex-Officio Member, Parks & Recreation Advisory Board

Parks & Recreation Advisory Board and Parks & Recreation Director recommended approval of Ms. Samantha Cloud as the Student Ex-Officio member of the Parks & Recreation Advisory Board.

Motion by Council Member Lease, seconded by Council Member Spencer, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

Item 18. Appoint Senior Citizens Advisory Board Member

Council Member Stewart recommended approval of the appointment of Mrs. Kay Blanding to the Senior Citizens Advisory Board of Directors for a two year term.

Motion by Council Member Lease, seconded by Council Member Spencer, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

Item 19. Approve Adopt-An-Area Agreements, Grapevine Mills Chick Fil A and Rose Hollow Coven

Parks & Recreation Advisory Board and Parks & Recreation Director recommend approval of Adopt-An-Area Agreements with Grapevine Mills Chick Fil A for Anderson Gibson Road from the Mills Run trailhead to West Grapevine Mills Circle and Rose Hollow Coven for Northfield Trail off Dallas Road.

Motion by Council Member Lease, seconded by Council Member Spencer, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

Item 20. Authorize Purchase, Data Storage System

Assistant City Manager recommended approval of the purchase of a data storage system from Parity Consultants for network data storage in an amount not to exceed \$67,794.00.

Motion by Council Member Lease, seconded by Council Member Spencer, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

Item 21. Resolution, Authorize Central Irrigation System Controllers and Parts

Parks & Recreation Director recommended approval of a resolution authorizing the renewal of the sole source annual contract with Interspec, Inc. for the purchase of Central Irrigation System Controllers and Parts in an amount not to exceed \$90,000.00.

Motion by Council Member Lease, seconded by Council Member Spencer, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

RESOLUTION NO. 2010-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, MAKING FINDINGS OF CERTAIN FACTS RELATIVE TO THE PURCHASE OF IRRIGATION CONTROLLERS AND PARTS AND AUTHORIZING THE CITY MANAGER OR THE MANAGER'S DESIGNEE TO EXECUTE SAID DOCUMENTS AND PROVIDING AN EFFECTIVE DATE

Item 22. Award Tree and Plant Purchases Annual Contract

Parks & Recreation Director recommended approval of the award of the Tree and Plant Purchases Annual Contract to Cole Construction; Fannin Tree Farm; Southwest Wholesale Nursery; and Unique Landscaping Design & Construction Inc.

Motion by Council Member Lease, seconded by Council Member Spencer, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

Item 23. Resolution, Authorize Repair of Clarifier Drive, Wastewater Treatment Plant

Public Works Director recommended approval of a resolution authorizing Environmental Improvements, Inc. to rebuild a clarifier drive at the Wastewater Treatment Plant in the estimated amount of \$30,213.60.

Motion by Council Member Lease, seconded by Council Member Spencer, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

RESOLUTION NO. 2010-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, MAKING FINDINGS OF CERTAIN FACTS RELATIVE TO THE PURCHASE OF REBUILDING A CLARIFIER DRIVE AND AUTHORIZING THE CITY MANAGER OR THE MANAGER'S DESIGNEE TO EXECUTE SAID DOCUMENTS AND PROVIDING AN EFFECTIVE DATE

Item 24. Award Bid 340-2010 Concrete Construction Services Annual Contract

Public Works Director recommended approval of the award of Bid 340-2010 Concrete Construction Services Annual Contract to Manning Concrete.

Motion by Council Member Lease, seconded by Council Member Spencer, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

Item 25. Renew Bid 319-2009 Equipment Rental Annual Contract

Public Works Director recommended approval of the renewal of Bid 319-2009 Equipment Rental Annual Contract to Fox Rental; Howard McAnear Equipment and Hi-Way Equipment Company.

Motion by Council Member Lease, seconded by Council Member Spencer, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

Item 26. Resolution, Purchase Motorola Radios

Fire Chief recommended approval of a resolution authorizing the purchase of Motorola Radios from DFW/Communications through an interlocal agreement with the Houston-Galveston Area Council in the total amount of \$19,781.50.

Motion by Council Member Lease, seconded by Council Member Spencer, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

RESOLUTION NO. 2010-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AUTHORIZING THE CITY MANAGER OR THE CITY MANAGER'S DESIGNEE TO PURCHASE MOTOROLA RADIOS THROUGH AN ESTABLISHED INTERLOCAL AGREEMENT AND PROVIDING AN EFFECTIVE DATE

Item 27. Consideration of Minutes

City Secretary recommended approval of the minutes of the June 15, 2010 City Council meetings as published.

Motion by Council Member Lease, seconded by Council Member Spencer, to approve as recommended prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ITEM 28.. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU10-06 RACETRAC

Development Services Director Scott Williams reported the Planning & Zoning Commission voted 7-0 for denial of Conditional Use Application CU10-06 filed by RaceTrac requesting a conditional use permit for gasoline service and off-premise consumption of alcoholic beverages (beer and wine only) and two monument signs in conjunction with a convenience store. The subject property is located at 751 East Northwest Highway and is zoned "CC" Community Commercial District Regulations.

Ms. Karen Mitchell requested that the item be tabled to address the concerns stated by the Planning & Zoning Commission. Mayor Tate stated the public hearing had been closed and there will not be any additional input regarding the case.

Council Member Stewart, seconded by Council Member Lease, offered a motion to accept the Commission's recommendation for denial of the application. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ITEM 29. PLANNING & ZONING COMMISSION RECOMMENDATION
FINAL PLAT LOTS 1R1 AND 5R, BLOCK 1, W. R. BOYD CENTER

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 for the denial of the final plat of Lots 1R1 and 5R, Block 1, W. R. Boyd Center.

Council Member Spencer, seconded by Mayor Pro Tem Wilbanks, offered a motion to accept the Commission's recommendation for the denial of the final plat of Lots 1R1 and 5R, Block 1, W. R. Boyd Center. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ITEM 30. PLANNING & ZONING COMMISSION RECOMMENDATION
ZONING APPLICATION Z10-02 GRENADIER HOMES

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 for approval of Zoning Application Z10-02 filed by Grenadier Homes granting rezoning of 19.165 acres from "R-TH" Townhouse District Regulations to "R-7.5" Single Family District Regulations. The subject property is located at 4632 Trevor Trail.

Mayor Pro Tem Wilbanks, seconded by Council Member Stewart, offered a motion to accept the Commission's recommendation and approve the ordinance granting the rezoning. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ORDINANCE NO. 2010-32

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, AMENDING ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE OF GRAPEVINE, TEXAS, GRANTING ZONING CHANGE Z10-02 ON A TRACT OF LAND OUT OF THE G.W. MINTER SURVEY, ABSTRACT

NO. 1083, DESCRIBED AS BEING A TRACT OF LAND LYING AND BEING SITUATED IN THE CITY OF GRAPEVINE, TARRANT COUNTY, TEXAS MORE FULLY AND COMPLETELY DESCRIBED IN THE BODY OF THIS ORDINANCE; ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM "R-TH" TOWNHOUSE DISTRICT REGULATIONS TO "R-5.0" ZERO LOT LINE DISTRICT REGULATIONS; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND A ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE, AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH AN OFFENSE OCCURS OR CONTINUES; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 31. PLANNING & ZONING COMMISSION RECOMMENDATION
PLANNED DEVELOPMENT OVERLAY PD10-04 GRENADIER HOMES

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 for approval of Planned Development Overlay PD10-04 filed by Grenadier Homes granting a permit to amend the site plan approved by Ordinance No. 2006-31 for the development of 66 detached single family lots with various setback regulations. The subject property is located at 4632 Trevor Trail

Mayor Pro Tem Wilbanks, seconded by Council Member Lease, offered a motion to accept the Commission's recommendation and approve the ordinance granting the planned development overlay. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ORDINANCE NO. 2010-33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ISSUING A PLANNED DEVELOPMENT OVERLAY IN ACCORDANCE WITH SECTION 41 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING PLANNED DEVELOPMENT OVERLAY PD10-04 FOR THE

DEVELOPMENT OF 66 DETACHED SINGLE FAMILY LOTS ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS PLANNED DEVELOPMENT OVERLAY PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 32. PLANNING & ZONING COMMISSION RECOMMENDATION
FINAL PLAT STONE BRIDGE OAKS II

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 for approval of the Statement of Findings and the final plat of Stone Bridge Oaks II. The property is being platted for single family lots, two private access lots and five open space lots. The subject property is located at 4601 Euless Grapevine Road.

Council Member Stewart, seconded by Council Member Lease, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the final plat of Stone Bridge Oaks II. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ITEM 33. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU10-15 NAPOLI'S ITALIAN CAFÉ

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU10-15 filed by Napoli's Italian Café granting a conditional use permit to amend the site plan approved by Ordinance No. 2005-27 to expand the restaurant into the adjoining space and the addition of a confectionery shop. The subject property is located at 309 South Main Street #100 and 311 South Main Street and is zoned "CBD" Central Business District.

Council Member Lease, seconded by Mayor Pro Tem Wilbanks, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Wilbanks, Stewart & Lease

Nays: Tate & Spencer

Absent: Freed & Coy

ORDINANCE NO. 2010-34

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU10-15 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 2005-27 FOR THE EXPANSION OF A RESTAURANT IN A DISTRICT ZONED "CBD" CENTRAL BUSINESS DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 34. PLANNING & ZONING COMMISSION RECOMMENDATION SPECIAL USE APPLICATION SU10-06 COMPASS CHRISTIAN CHURCH

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 for approval of Special Use Application SU10-06 filed by Compass Christian Church with the condition that there be a City initiated rezoning, with no cost to the Church, to single family zoning. The special use permit requests to amend the site plan approved by Ordinance No. 97-24 for a church in a non-residential zoning district. The subject property is located at 4201 Pool Road and is zoned "CN" Neighborhood Commercial District Regulations.

Council Member Lease offered a motion to accept the Commission's recommendation and approve the ordinance granting the special use permit. The motion died for lack of a second.

Council Member Spencer, seconded by Mayor Pro Tem Wilbanks, offered a motion to table the item until the City initiated rezoning to "R-7.5" Single Family Residential. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ITEM 35. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU10-16 COMPASS CHRISTIAN
CHURCH

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU10-16 filed by Compass Christian Church with the non-profit area not to exceed 10% of overall building size and specifically no outside storage. The conditional use permit would allow for nonprofit institutions in conjunction with a church. The subject property is located at 4201 Pool Road and is zoned "CN" Neighborhood Commercial District Regulations.

Council Member Spencer, seconded by Mayor Pro Tem Wilbanks, offered a motion to table the item until the City initiated rezoning to "R-7.5" Single Family Residential. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ITEM 36. PLANNING & ZONING COMMISSION RECOMMENDATION
FINAL PLAT LOT 2R, BLOCK 1, JEMTEX ADDITION

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 for approval of the Statement of Findings and the final plat of Lot 2R, Block 1, Jemtex Addition. The 4.851 acre property is being platted from two lots into one for parking lot expansion at 4201 Pool Road.

Council Member Stewart, seconded by Mayor Pro Tem Wilbanks, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the final plat of Lot 2R, Block 1, Jemtex Addition. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ITEM 37. PLANNING & ZONING COMMISSION RECOMMENDATION
CONDITIONAL USE APPLICATION CU10-18 BALL STREET JOINT
VENTURE

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 for approval of Conditional Use Application CU10-18 filed by Ball Street Joint Venture granting a conditional use permit to amend the site plan approved by Ordinance No. 2010-19 requesting to subdivide the lot into two lots and reconfigure the drive through lane. The subject property is located at 1303 and 1401 William D. Tate Avenue and is zoned "HC" Highway Commercial District.

Council Member Spencer, seconded by Council Member Lease, offered a motion to accept the Commission's recommendation and approve the ordinance granting the conditional use permit. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ORDINANCE NO. 2010-35

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS ISSUING A CONDITIONAL USE PERMIT IN ACCORDANCE WITH SECTION 48 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY GRANTING CONDITIONAL USE PERMIT CU10-18 AMENDING THE SITE PLAN APPROVED BY ORDINANCE NO. 2010-19 TO SUBDIVIDE THE LOT AND RECONFIGURE THE DRIVE-THROUGH LANE FOR A RESTAURANT IN A DISTRICT ZONED "HC" HIGHWAY COMMERCIAL DISTRICT ALL IN ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS CONDITIONAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 38. PLANNING & ZONING COMMISSION RECOMMENDATION
FINAL PLAT LOTS 2R AND 2R-1, BLOCK 1, HAYLEY ADDITION

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 for approval of the Statement of Findings and the final plat of Lots 2R and 2R-1, Block 1, Hayley Addition. The 2.384 acre property is being platted from three lots into two lots. The subject property is located at 1401 William D. Tate Avenue.

Mayor Pro Tem Wilbanks, seconded by Council Member Spencer, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the final plat of Lots 2R and 2R-1, Block 1, Hayley Addition. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ITEM 39. PLANNING & ZONING COMMISSION RECOMMENDATION
SPECIAL USE PERMIT SU10-07 121 COMMUNITY CHURCH

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 to approve Special Use Permit SU10-07 filed by 121 Community Church granting a special use permit to amend the site plan approved by Ordinance No. 2005-30 to expand the existing church facility. The subject property is located at 830, 840, 850 and 860 Mustang Drive and is zoned "BP" Business Park District..

Council Member Lease, seconded by Council Member Stewart, offered a motion to accept the Commission's recommendation and approve the ordinance granting the special use permit. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ORDINANCE NO. 2010-36

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS, ISSUING A SPECIAL USE PERMIT IN ACCORDANCE WITH SECTION 49 OF ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE BY GRANTING SPECIAL USE PERMIT SU10-07 TO AMEND THE SITE PLAN APPROVED BY ORDINANCE NO. 2005-30 FOR EXPANSION OF AN EXISTING CHURCH FACILITY IN A DISTRICT ZONED "BP" BUSINESS PARK DISTRICT UNDER CITY OF GRAPEVINE ORDINANCE NO. 82-73 ALL IN

ACCORDANCE WITH A SITE PLAN APPROVED PURSUANT TO SECTION 47 OF ORDINANCE NO. 82-73 AND ALL OTHER CONDITIONS, RESTRICTIONS AND SAFEGUARDS IMPOSED HEREIN; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS, MORALS AND GENERAL WELFARE DEMAND THE ISSUANCE OF THIS SPECIAL USE PERMIT; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ITEM 40. PLANNING & ZONING COMMISSION RECOMMENDATION
FINAL PLAT LOT 1, BLOCK 1, 407 TURNER ADDITION

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 for approval of the Statement of Findings and the final plat of Lot 1, Block 1, 407 Turner Addition. The 0.1944 acre property is being platted to build a single family home.

Council Member Stewart, seconded by Council Member Spencer, offered a motion to accept the Commission's recommendation and approve the Statement of Findings and the final plat of Lot 1, Block 1, 407 Turner Addition. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease

Nays: None

Absent: Freed & Coy

ITEM 41. PLANNING & ZONING COMMISSION RECOMMENDATION
AMEND GRAPEVINE CODE OF ORDINANCES, APPENDIX D, THE
COMPREHENSIVE ZONING ORDINANCE NO. 82-73, AS AMENDED,
RELATIVE TO SALE OF MERCHANDISE FROM RESIDENCES (GARAGE
SALES)

Development Services Director Williams reported the Planning & Zoning Commission voted 7-0 for approval of the amendments to the Grapevine Code of Ordinances, Appendix D, the Comprehensive Zoning Ordinance No. 82-73, as amended relative to all applicable sections regarding the sale of goods and merchandise from residences (garage sales).

Council Member Lease, seconded by Mayor Pro Tem Wilbanks, offered a motion to accept the Commission's recommendation and approve the ordinance granting the amendments to Appendix D, relative to garage sales. The motion prevailed by the following vote:

Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

ORDINANCE NO. 2010-37

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS AMENDING ORDINANCE NO. 82-73, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF GRAPEVINE, TEXAS, SAME BEING ALSO KNOWN AS APPENDIX "D" OF THE CITY CODE, BY AMENDING SECTION 13 "R-20" SINGLE FAMILY DISTRICT REGULATIONS; SECTION 14 "R-12.5" SINGLE FAMILY DISTRICT REGULATIONS; SECTION 15 "R-7.5" SINGLE FAMILY DISTRICT REGULATIONS; SECTION 16 "R-5.0" ZERO-LOT-LINE DISTRICT REGULATIONS; SECTION 17 "R-3.5" TWO FAMILY DISTRICT REGULATIONS; SECTION 18 "R-3.75" THREE AND FOUR-FAMILY DISTRICT REGULATIONS; SECTION 20 "R-TH" TOWNHOUSE DISTRICT REGULATIONS AND SECTION 22A "R-MODH" MODULAR HOME DISTRICT REGULATIONS RELATIVE TO THE SALE OF GOODS AND MERCHANDISE FROM HOME; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED UPON EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE

ADJOURNMENT

Mayor Pro Tem Wilbanks, seconded by Council Member Stewart, offered a motion to adjourn the meeting at 10:40 p.m. The motion prevailed by the following vote:

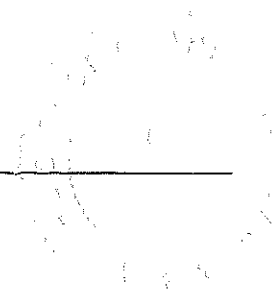
Ayes: Tate, Wilbanks, Spencer, Stewart & Lease
Nays: None
Absent: Freed & Coy

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAPEVINE, TEXAS on this the 3rd day of August, 2010.

APPROVED:




William D. Tate
Mayor



07/20/10

ATTEST:



Linda Huff
City Secretary

